

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THE MASON AND DIXON LINES, INC.,
UNIVERSAL AM-CAN, LTD., and MASON
DIXON INTERMODAL, INC.

Plaintiffs,

Case Number 10-12285
Honorable David M. Lawson

v.

KIRK T. STEUDLE and TED B. WAHBY,

Defendants.

**ORDER DENYING MOTION TO REASSIGN OR CONSOLIDATE CASES
AND REQUEST FOR IMMEDIATE HEARING**

Presently before the Court is a motion to reassign or consolidate this case with several others pending before this court and a request for an immediate hearing on this motion, filed by Detroit International Bridge Company, which is not a party to this suit.

The Court does not see the need to address this matter immediately, and the movant makes no argument as to why an immediate hearing is necessary. The plaintiffs' motion for preliminary injunction and the defendants' motion to dismiss remain pending and this Court believes that a decision on those motions will advance the ultimate disposition of the litigation. Therefore, the Court will address those motions before turning to the present one and will schedule a hearing on this motion in due course. Therefore, the Court will deny the request for an immediate hearing.

The Court also will deny the request to reassign this case. Of the three cases identified in the motion, this Court has the lowest docket number. Under the local rules concerning companion cases, a case is reassigned "to the Judge having the earlier case number." E.D. Mich. LR 83.11(b)(7)(C). Even if these cases were companion — the Court believes they are not — this Court

would be the one assigned to handle the cases. Therefore, the Court does not believe that reassignment is appropriate.

Accordingly, it is **ORDERED** that the motion to reassign or consolidate cases and for an immediate hearing [dkt. #68] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: October 18, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 18, 2010.

s/Deborah R. Tofil
DEBORAH R. TOFIL